

# EXECUTIVE COUNCIL OF IOWA

## MINUTES

### APRIL 6, 2020

The Executive Council met in regular session at 10:01 a.m. via conference call as a meeting in person was impractical due to the Governor's State of Public Health Disaster Emergency Proclamation. Secretary Paul Pate presided over the meeting. Auditor of State Rob Sand (joined after the minutes were approved), Treasurer of State Michael Fitzgerald and Secretary of Agriculture Michael Naig were present. Governor Kim Reynolds was absent.

Regular Session  
April 6, 2020

Moved by Secretary Naig and seconded by Treasurer Fitzgerald that the Council approve the minutes of the Executive Council meeting held March 2, 2020.

Minutes Approved

The vote:      Ayes:              Secretary Pate  
   Treasurer Fitzgerald  
   Secretary Naig  
                 Nays:              None

Moved by Treasurer Fitzgerald and seconded by Secretary Naig that the Council approve the request from the Attorney General's Office for payment of Expenses Under Iowa Code §7D.10 in the amount of \$6,400.00 for prosecuting cases under Iowa Code chapter 229A.

Approved Iowa  
Code §7D.10

The vote:      Ayes:              Secretary Pate  
   Auditor Sand  
   Treasurer Fitzgerald  
   Secretary Naig  
                 Nays:              None

Moved by Auditor Sand and seconded by Secretary Naig that the Council approve the request from the Department of Justice, Attorney General's office as follows:

Approved Special  
Counsel

- A. The Department of Justice, Attorney General's Office, requests retention of special counsel to represent Iowa PBS pursuant to Iowa Code section 13.7 to provide counsel on highly specialized FCC matters.

Firm: Gray Miller Persh  
1200 New Hampshire Avenue N.W.  
Suite 410  
Washington, D.C. 20036-3802

Rate: \$437 Per Hour for an initial term of three years with three one-year renewal options subject to a \$5.00 per hour rate increase per year.

The vote: Ayes: Secretary Pate  
Auditor Sand  
Treasurer Fitzgerald  
Secretary Naig  
Nays: None

Moved by Secretary Naig and seconded by Treasurer Fitzgerald that the Council approve the requests as follows:

Approved  
Emergency  
Allocations

- A. Department of Public Safety requested a supplemental emergency allocation in the amount \$338.24. This brings the total allocation amount to \$8,036.78. On June 11, 2019 State Patrol Vehicle #331 was damaged by a deer in Linn County. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- B. Department of Public Safety requested a supplemental emergency allocation in the amount \$54.95. This brings the total allocation amount to \$3,254.57. On October 16, 2019 State Patrol Vehicle #235 was damaged by a raccoon. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- C. Department of Public Safety requested a supplemental emergency allocation in the amount \$734.63. This brings the total allocation amount to \$5,778.00. On October 28, 2019 State Patrol Vehicle #425 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- D. Department of Public Safety requested an emergency allocation in the amount \$4,079.04. On January 26, 2020 State Patrol Vehicle #273 was damaged by snow and ice. Request was to cover repair costs.

- E. Department of Public Safety requested an emergency allocation in the amount \$5,240.55. On January 31, 2020 State Patrol Vehicle #488 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- F. Department of Administrative Services requested an emergency allocation in the amount \$3,483.35. On September 9, 2019 State Vehicle #2761 was damaged by a coyote. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- G. Department of Administrative Services requested a supplemental emergency allocation in the amount \$115.83. This brings the total allocation amount to \$2,862.08. On November 11, 2019 Vehicle #105698 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- H. Department of Natural Resources requested a supplemental emergency allocation in the amount \$1,607.74. This brings the total allocation amount to \$88,215.64. On June 19, 2018 heavy rains and flooding caused damage at Dolliver Memorial State Park in Webster County. Request was to cover repair costs.
- I. Department of Natural Resources requested a supplemental emergency allocation in the amount \$154.15. This brings the total allocation amount to \$4,730.23. On August 18, 2019 storms caused damage to the lift station control panel at Viking Lake State Park. Request was to cover repair costs.
- J. Department of Natural Resources requested an emergency allocation in the amount \$29,986.35. On September 12, 2019 flash flooding damaged roads and campgrounds at Yellow River State Park. Request was to cover repair costs.
- K. Iowa Communications Network requested a supplemental emergency allocation in the amount \$7,886.20. This will increase the total allocation to \$20,265.28. On December 11, 2018 ICN sustained cable damage due to erosion at two locations along Highway 30 in Boone County. Request was to cover repair costs.
- L. Iowa Communications Network requested a supplemental emergency allocation in the amount \$1,540.14. This will increase the total allocation to \$24,369.29. On July 1, 2019 ICN sustained cable damage due to excessive erosion along Highway 18 in Chickasaw County. Request was to cover repair costs.

The vote:	Ayes:	Secretary Pate Auditor Sand Treasurer Fitzgerald Secretary Naig
	Nays:	None

Moved by Treasurer Fitzgerald and seconded by Auditor Sand that the Council approve the following cost items:

Approved Payment  
of Cost Items

- A. Iowa Communications Network.....\$28,245.46  
On September 18, 2019 ICN sustained cable damage due excessive erosion along 230th Street in Madison County. Request was to cover repair costs. This represents full and final payment, \$1,405.47 will be reverted and this allocation closed.
- B. Iowa Communications Network.....\$16,949.52  
On May 13, 2019 ICN sustained cable damage due excessive erosion along Interstate 80 in Madison County. Request was to cover repair costs. This represents full and final payment, \$1,200.98 will be reverted and this allocation closed.
- C. Department of Public Safety.....\$9,182.88  
On October 21, 2019 State Patrol Vehicle #89 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- D. Department of Public Safety.....\$9,169.87  
On December 2, 2019 Vehicle #400 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- E. Department of Human Services.....\$34,562.01  
On July 19, 2018 vehicles #2540, #2005 and #1438 were damaged by a tornado in Marshalltown. Request was to cover repair costs. This represents full and final payment, \$376.25 will be reverted and this allocation closed.
- F. Department of Human Services.....\$9,916.00  
On March 11, 2019 ice buildup caused roof damage and water infiltration into the Superintendent's office at the Cherokee Mental Health Institute. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- G. Patterson Law Firm L.L.P.....\$14.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Dena Nelson v. Glenwood Resource Center, State of Iowa and Second Injury Fund of Iowa

H.	Patterson Law Firm L.L.P.....	\$154.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Richard Adrian v. University of Iowa, State of Iowa and Second Injury Fund of Iowa</u>	
I.	Patterson Law Firm L.L.P.....	\$1,728.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Belifia “Lou” Parks vs. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa</u>	
J.	Patterson Law Firm L.L.P.....	\$140.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Donald E. Dietz v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa</u>	
K.	Patterson Law Firm L.L.P.....	\$486.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Jason Loving v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa</u>	
L.	Patterson Law Firm L.L.P.....	\$60.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Lori Deere vs. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa</u>	
M.	Patterson Law Firm L.L.P.....	\$84.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Robert James Conrad vs. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa</u>	

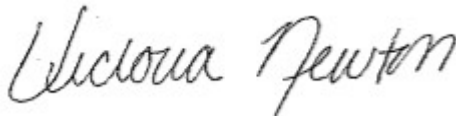
N.	Patterson Law Firm L.L.P.....	\$154.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Cherie Kreger v. University of Northern Iowa, State of Iowa and Second Injury</u>	
	<u>Fund of Iowa</u>	
O.	Patterson Law Firm L.L.P.....	\$154.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Rory Aschbrenner vs. Iowa State University, State of Iowa and Second Injury</u>	
	<u>Fund of Iowa</u>	
P.	Patterson Law Firm L.L.P.....	\$1,042.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Melody Colvin v. Woodward Resource Center, State of Iowa and Second Injury</u>	
	<u>Fund of Iowa</u>	
Q.	Patterson Law Firm L.L.P.....	\$294.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Larry Opal v. Clarinda Correctional Facility, State of Iowa and Second Injury</u>	
	<u>Fund of Iowa</u>	
R.	Patterson Law Firm L.L.P.....	\$252.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Mary Kimball v. Woodward Resource Center, State of Iowa and Second Injury</u>	
	<u>Fund of Iowa</u>	
S.	Patterson Law Firm L.L.P.....	\$280.00
	729 Insurance Exchange Building	
	505 Fifth Avenue	
	Des Moines, IA 50309-2390	
	<u>Debra Breckenridge v. Iowa Judicial Branch, State of Iowa and Second Injury</u>	
	<u>Fund of Iowa</u>	

T.	Richard J. Bennett, Sr.....	\$2,154.00
	PO Box 65666	
	West Des Moines, IA 50265	
	<u>Special Counsel for the Criminal Appeals Division of the Iowa Attorney</u>	
	<u>General's Office</u>	
U.	Gray Miller Persh, LLP.....	\$218.50
	2233 Wisconsin Avenue NW	
	Suite 226	
	Washington, D.C. 20007	
	<u>Iowa Public Television</u>	
V.	Gray Miller Persh, LLP.....	\$1,660.60
	2233 Wisconsin Avenue NW	
	Suite 226	
	Washington, D.C. 20007	
	<u>Iowa Public Television</u>	
W.	Wandro & Associates, P.C. ....	\$6,525.00
	2501 Grand Avenue, Suite B	
	Des Moines, IA 50312	
	<u>Unclaimed Property Probate Matters</u>	
X.	Davis Brown Law Firm.....	\$2,578.00
	215 10th Street, Suite 1300	
	Des Moines, IA 50309-3993	
	<u>Unclaimed Property Probate Matters &amp; Employee Retirement Income Security</u>	
	<u>Act (ERISA)</u>	
Y.	Davis, Brown, Koehn, Shors & Roberts, P.C.....	\$188.70
	The Davis Brown Tower	
	215 10 <sup>th</sup> Street, Suite 1300	
	Des Moines, IA 50309-3993	
	<u>Legal Services to state agencies on issues related to the visa status of prospective</u>	
	<u>state employees</u>	
Z.	Department of Natural Resources .....	\$2,419.40
	Drainage taxes for the following counties:	
	Clinton	\$1,853.00
	Humboldt	\$566.40

The vote:      Ayes:      Secretary Pate  
                         Auditor Sand  
                         Treasurer Fitzgerald  
                         Secretary Naig  
                 Nays:      None

Moved by Secretary Naig and seconded by Auditor Sand that the meeting adjourn.

Respectfully submitted,

A handwritten signature in cursive script that reads "Victoria Newton". The signature is written in dark ink and is positioned above a horizontal line.

Victoria Newton  
Executive Secretary

Meeting adjourned